

Committee Room,  
Austin, Texas, March 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 402, A bill to be entitled "An Act to reorganize the Thirteenth Judicial District of Texas, and to create the Seventy-sixth Judicial District of Texas, and fix the time of holding the courts in said districts, and to provide for organizing grand juries at certain terms in said courts, and to provide for the appointment of a judge of the Seventy-sixth Judicial District, and to continue in office the judge and district attorney of the Thirteenth Judicial District and the clerks of the district courts in the several counties of said districts, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HUDSPETH, Chairman.

Committee Room,  
Austin, Texas, March 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 4, Giving old army Enfield rifles to the Confederate camps within the State, and canceling bonds heretofore given by such camps,

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,  
Austin, Texas, March 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 22, "An Act amending Chapter 104 of the General Laws passed by the Thirty-second Legislature at its Regular Session by adding at the end of Section 2, Sections 2a and 2b, prescribing additional duties for the State Inspector of Masonry, Public Buildings and Works, and providing for the appointment of assistants by

him, defining their duties and fixing their compensation, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator Lattimore:

Petition signed numerously by farmers of his district endorsing the Katy and Santa Fe consolidation bills and expressing opposition to the river pollution bill.

By Senator Lattimore:

Numerously signed petition by the citizens of Arlington and community urging the early passage of a special road law for Tarrant county.

#### THIRTY-NINTH DAY.

Senate Chamber,  
Austin, Texas,  
Wednesday, March 5, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Hudspeth.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)

## FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 690, A bill to be entitled "An Act to appropriate the sum of \$12,000.00, or so much thereof as may be necessary, for the purpose of buying additional grounds for the Sam Houston Normal Institute, located at Huntsville, Texas, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

## HOUSE BILL ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after its caption had been read, the following House bill:

House bill No. 690, referred to Committee on Finance.

## BILLS AND RESOLUTIONS.

By Senator Murray:

Senate bill No. 406, A bill to be entitled "An Act to render more efficient the present road law of the State of Texas, in its application and operation in the county of Refugio, and providing that the commissioner of each precinct in said Refugio county shall be road commissioner of his respective precinct, and providing that each commissioner shall receive compensation, as road commissioner, for services actually performed as road commissioner, in such sum as may be fixed by the commissioners' court of Refugio county, not to exceed ninety dollars per quarter, and declaring an emergency."

The bill was read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Terrell:

Senate bill No. 407, A bill to be entitled "An Act to incorporate the McGregor Independent School District in McLennan county for free school purposes only; describing its boundaries; divesting the city of McGregor of the control of its public schools and title to school property, and vesting the same in the said McGregor Independent School Dis-

trict and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, powers, privileges and duties of the said McGregor Independent School District and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency."

The bill was read first time and referred to Committee on Educational Affairs.

(By Unanimous Consent.)

By Senator Conner:

Senate bill No. 408, A bill to be entitled "An Act to create a board of regents for the John Tarleton College, of Stephenville, Erath county, Texas; to provide for the appointment of said board; to define its duties and powers; to divest the control and management, legal title and ownership of said institution out of the Governor of the State of Texas, the Superintendent of Public Instruction of the State of Texas, and the county judge of Erath county, Texas, to vest said control in said board, and declaring an emergency."

The bill was read first time and referred to Committee on Educational Affairs.

## SIMPLE RESOLUTION.

By Senator Lattimore:

Resolved by the Senate, That on account of the near approach of the end of the session, and the number of important bills on the Calendar, from and after the adoption of this resolution, no Senator shall be allowed to speak more than ten minutes on any one bill except by consent of two-thirds of the Senate; nor more than five minutes on any amendment, except as above permitted; provided that the author of such matter may have not more than twenty minutes on bills nor more than ten minutes on other matters. This rule to be only temporary, but to govern till otherwise ordered, and that the Secretary of the Senate be official time-keeper.

The resolution was read, and Senator Murray moved that the same be referred to the Committee on Rules.

Senator Lattimore, as a substitute, moved that same be adopted.

Pending discussion Senator Collins moved the previous question on the

resolution, which motion, being duly seconded, was so ordered.

Action recurred on substitute motion, which was to adopt the resolution, which motion was lost by the following vote:

Yeas—9.

Carter.	Kauffman.
Conner.	Lattimore.
Cowell.	Real.
Gibson.	Taylor.
Johnson.	

Nays—19.

Astin.	Nugent.
Bailey.	Paulus.
Brelsford.	Terrell.
Collins.	Townsend.
Darwin.	Warren.
Greer.	Weinert.
McGregor.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.
Murray.	

Present—Not Voting.

Vaughan.

Absent.

Hudspeth.

Watson.

Senator Lattimore withdrew further action on the resolution.

#### SIMPLE RESOLUTION.

By Senator Terrell:

Whereas, The Honorable Roger Byrne of Bastrop county is an applicant for appointment as Collector of the Customs at El Paso or Laredo, under the present Democratic administration, and

Whereas, The Members of this Senate have heretofore given Mr. Byrne their written endorsement; therefore be it

Resolved, That we now formally give our endorsement to that distinguished patriotic Democrat, and request that our Senators and members of Congress from Texas give their support and endorsement to Mr. Byrne and to use their utmost endeavors to secure his appointment, and that the Secretary of the Senate be instructed to transmit a copy of this resolution to Senators Culberson and Sheppard.

The resolution was read and adopted.

Morning call concluded.

#### SENATE BILL NO. 253 — HOUSE AMENDMENT CONCURRED IN.

Senator Taylor called up Senate bill No. 253, creating the Clifton Independent School District, with the following House amendment:

Amend Section 4 of Senate bill No. 253 by striking out "seven" in the several places where it occurs and insert "six."

Senator Taylor moved that the Senate concur in the House amendment, which motion prevailed by the following vote:

Yeas—26.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Bailey.  
Hudspeth.  
Kauffman.

Real.  
Watson.

#### HOUSE BILL NO. 22.

The Chair laid before the Senate on third reading and regular order,

House bill No. 22, A bill to be entitled "An Act to amend Articles 4621, 4622 and 4624, Title 68, Chapter 3, of the Revised Civil Statutes of the State of Texas, concerning the marital rights of parties, defining the separate and community property of the husband and wife, conferring upon the wife power to make contracts, authorizing suits on such contracts, repealing Article 4625, Title 68, Chapter 3, of the Revised Civil Statutes of the State of Texas and all other laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read, and Senator Wiley made the following motion in writing:

I move to reconsider and rescind the action of the Senate on House bill No. 22, by which the bill was passed to a third reading.

Senator Vaughan moved to table the motion, which motion was adopted by the following vote:

Yeas—16.

Astin.	Morrow.
Bailey.	Murray.
Darwin.	Paulus.
Gibson.	Taylor.
Greer.	Terrell.

Townsend.	Watson.
Vaughan.	Weinert.
Warren.	Westbrook.

Nays—11.

Brelsford.	Lattimore.
Carter.	McNealus.
Conner.	Nugent.
Cowell.	Wiley.
Johnson.	Willacy.
Kauffman.	

Absent.

McGregor.	Real.
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PAIRED.

Senator Collins (present), who would vote "nay" with Senator Hudspeth (absent), who would vote "yea."

Senator Vaughan moved the previous question on the bill, which motion being duly second was so ordered.

The bill was finally passed by the following vote:

Yeas—19.

Astin.	Real.
Brelsford.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Kauffman.	Watson.
McGregor.	Weinert.
McNealus.	Westbrook.
Morrow.	Willacy.
Paulus.	

Nays—8.

Carter.	Lattimore.
Collins.	Nugent.
Conner.	Terrell.
Gibson.	Wiley.

Absent.

Bailey.	Murray.
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PAIRED.

Senator Johnson (present), who would vote "yea," with Senator Hudspeth (absent), who would vote "nay."

Senator Vaughan moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## REASONS FOR VOTE.

I vote "nay" because the bill strikes down the community system.

LATTIMORE.

We vote "nay" for the reason that the amendment heretofore hastily and inadvertently adopted making the personal earnings of the husband his separate estate does such outrageous violence to every sense and principle of right and justice to the faithful and devoted wives and mothers of this land as to totally eclipse every good feature of the bill, and to shock the chivalry and loyalty, and insult the manhood of every honest and proud husband and father in this State, and to discount us in the esteem and regard of the best womanhood and motherhood of Texas.

NUGENT.  
TERRELL.

## HOUSE BILL NO. 162.

The Chair laid before the Senate on third reading.

House bill No. 162, A bill to be entitled "An Act to amend Article 6394, Chapter 1, Title 113, providing for the care and custody of that part of the old Alamo Mission property purchased by the State adjoining the building known as the Alamo church, and that same be delivered to the Daughters of the Republic of Texas, to be maintained and remodeled upon plans adopted by them, and providing that no changes or alterations shall be made in the Alamo church proper except such as is necessary for its preservation, and declaring an emergency."

The bill was read and Senator Nugent offered the following amendment:

Amend the caption so that it will hereafter read as follows: "A bill to be entitled An Act to amend Article 6394 of the Revised Civil Statutes of 1911, Title 113, Chapter 1, relating to the Alamo Mission property, church or chapel, and the property adjoining, known as the Hugo-Schmeltzer property, all owned by the State, providing for the restoration, preservation and maintenance thereof, under the control, care and custody of a commission of five persons, providing for an appropriation with which to carry out the purposes of this act, and declaring an emergency."

The amendment was read and adopted by the following vote:

Yeas—28.

Astin.	Conner.
Bailey.	Cowell.
Brelsford.	Darwin.
Carter.	Gibson.
Collins.	Greer.

Johnson.	Taylor.
Kauffman.	Terrell.
Lattimore.	Townsend.
McGregor.	Warren.
McNealus.	Watson.
Morrow.	Weinert.
Nugent.	Westbrook.
Paulus.	Wiley.
Real.	Willacy.

Absent.

Hudspeth.	Vaughan.
Murray.	

Senator Nugent offered the following amendment:

Amend the bill by adding the emergency clause as follows: "The fact that the restoration, preservation and maintenance of the Alamo properties covered by this act are now retarded by litigation, the crowded condition of the calendar and the lateness of the session create an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended, and said rule is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

The amendment was read and adopted by the following vote:

Yeas—28.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.

Absent.

Hudspeth.	Vaughan.
Real.	

Senator Nugent offered the following amendment:

Amend by inserting after the enacting clause the following:

"Chapter 1, Title 113 of the Revised Civil Statutes of 1911 be amended so as to hereafter read as follows:

The amendment was read and adopted by the following vote:

Yeas—27.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Bailey.	Real.
Hudspeth.	Vaughan.

The bill was read third time and passed by the following vote:

Yeas—23.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Warren.
Gibson.	Watson.
Greer.	Weinert.
Kauffman.	Wiley.
McGregor.	Willacy.
McNealus.	

Nays—5.

Darwin.	Taylor.
Lattimore.	Westbrook.
Real.	

Absent.

Vaughan.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

PAIRED.

Senator Johnson (present), who would vote "nay," with Senator Hudspeth (absent), who would vote "yea."

## HOUSE BILL NO. 27.

The Chair laid before the Senate on second reading,

House bill No. 27, A bill to be entitled "An Act to prohibit the use of any imitation label, trade-mark, design, de-

vice, imprint or form of the flag of the State of Texas for advertising or commercial purposes, and prohibiting the offering or exposing for sale of any article or commodity bearing such imitation, design, imprint or form of the flag of the State of Texas, fixing a penalty for violation thereof, and declaring an emergency."

The bill was read second time, and passed to a third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—30.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Hudspeth.

The bill was read third time and passed by the following vote:

Yeas—30.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Hudspeth.

Senator Wiley moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### MOTION TO WITHDRAW BILL.

We move that Senator Gibson be given consent to withdraw Senate bill No. 262 from the Committee on Insurance, Statistics and History and from the Calendar of the Senate for purpose of correction and revision.

WATSON.

WILLACY.

The motion was read and adopted.

#### HOUSE BILL NO. 62.

The Chair laid before the Senate on second reading and regular order,

House bill No. 62, A bill to be entitled "An Act to amend Chapter 11, Title 119 of the Revised Statutes of 1911, authorizing the levying of a road tax in counties, political subdivisions, or defined districts now or hereafter to be described or defined."

The bill was read and passed to a third reading, but on motion of Senator Darwin the vote by which same was passed to a third reading was reconsidered.

Senator Darwin offered the following amendment, which was read and adopted.

Amend House bill No. 62 by adding at the end of caption the words: "And declaring an emergency."

Senator Darwin offered the following amendment, which was read and adopted:

Amend by adding to Section 1 the following: "Upon petition signed by a majority of the qualified taxpaying voters of any portion of any county or of any political subdivision of any county, to the county commissioners' court, requesting that such portion of said county, or political subdivision shall be created as a 'defined district,' the said county commissioners' court shall declare such territory a 'defined district' and spread the order for same upon the minutes of said court; provided, the petition aforesaid shall define by metes and bounds the territory desired to be incorporated in such 'defined district.'"

Senator Darwin offered the following amendment, which was read and adopted:

Amend the caption by adding the following: "And defining a method by which 'defined districts' may be created."

Senator Murray offered the following amendment, which was read and adopted:

Amend the bill, page 3, line 13, by

striking out the words: "and settlement effected."

Senator Murray offered the following amendment:

Amend the bill by striking out in line 8, page 2, the word "twenty" and insert in lieu thereof the word "thirty."

On motion of Senator Darwin the amendment was tabled.

The bill was read second time and passed to a third reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Paulus.
Carter.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Collins.	Nugent.
Hudspeth.	Real.

The bill was read third time and passed by the following vote:

Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Real.
Carter.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Collins.	Nugent.
Hudspeth.	Paulus.

Senator Darwin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## RECESS.

On motion of Senator McNealus the Senate at 12:30 o'clock p. m. recessed until 3 o'clock today.

## AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

## HOUSE BILL NO. 423.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 423, A bill to be entitled "An Act to authorize the State Comptroller to transfer certain moneys in the State treasury known as the 'Candarella contract,' 'Mustang Island,' and 'organized county tax account' funds, to the credit of the permanent school fund, and declaring an emergency."

On motion of Senator Brelsford, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Brelsford, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
Lattimore.	Willacy.

Absent.

Hudspeth.	Townsend.
McGregor.	Weinert.
Morrow.	

The bill was read third time and passed by the following vote:

## Yeas—27.

Astin.	McNealus.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Westbrook.
Kauffman.	Wiley.
Lattimore.	Willacy.
McGregor.	

## Absent

Hudspeth.	Real.
Morrow.	Weinert.

Senator Brelsford moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 74.

The Chair laid before the Senate on second reading and regular order,

House bill No. 74, A bill to be entitled "An Act to amend Article 7379, Chapter 2, Title 126, of the Revised Civil Statutes of 1911, relating to the gross receipt tax based upon gross receipts of wholesale dealers in or distributors of intoxicating liquors; and 'wholesale dealer' being defined so as to include every individual, company, corporation selling intoxicating liquors both to retail dealer or delivery on consignment to their agents for retail, and to consumers where it is not to be drunk on the premises, and providing that the tax be based upon the combined sales to both retail dealer and consumer as above stated, and also providing for the keeping of a plain legible record of such sales, and providing for inspection of such records by the proper officer, and providing a penalty for a violation to keep a record of such sale, and declaring an emergency."

The bill was read second time and passed to a third reading.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—22.

Astin.	McGregor.
Brelsford.	McNealus.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Westbrook.
Johnson.	Wiley.
Lattimore.	Willacy.

## Nays—2.

Kauffman.	Murray.
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## Present—Not Voting.

Taylor.

## Absent.

Bailey.	Real.
Hudspeth.	Watson.
Morrow.	Weinert.

The bill was read third time and passed by the following vote:

## Yeas—22.

Astin.	McNealus.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Vaughan.
Darwin.	Warren.
Greer.	Watson.
Johnson.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.

## Nays—2.

Kauffman.	Murray.
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## Present—Not Voting.

Bailey.

Taylor.

## Absent.

Gibson.	Real.
Hudspeth.	Weinert.
Morrow.	

Senator Darwin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 171.

The Chair laid before the Senate on second reading and regular order, House bill No. 171, A bill to be entitled



"An Act making it unlawful for any person to throw or deposit any glass bottle, glass, nails, tacks, hoops, wire, cans, or any other substance in a public road likely to injure any person, animal, automobile or vehicle."

The bill was read, and Senator Lattimore offered the following amendment, which was read and adopted:

Amend caption in line 14 by inserting after the word "road" the following: "street or alley."

Senator Darwin offered the following amendment, which was read and adopted:

Amend page 1, line 18, by inserting the word "wilfully" after the word "to" and before the word "throw."

The bill was read second time and passed to a third reading.

#### HOUSE BILL NO. 210.

The Chair laid before the Senate on second reading,

House bill No. 210, A bill to be entitled "An Act to prohibit the sale of intoxicating liquors in any city or town which has fixed limits in which the same shall be sold, outside of such limits, and providing a penalty therefor."

The bill was read second time, and Senator McNealus offered the following amendment:

Amend the bill, page 1, line 22, by adding after the close of Section 1 the following: "In prosecutions under this law, where it is proven that there is posted up at the place where such intoxicating liquor is sold, United States internal revenue liquor or malt license, to anyone, it shall be prima facie proof that the person to whom such license is issued is engaged in and is pursuing the business and occupation of selling intoxicating liquors, within the meaning of this law."

Senator Morrow made the point of order that the amendment was not germane to the bill.

The Chair overruled the point of order.

The amendment was adopted.

Senator Watson offered the following amendment:

Amend the bill, page 1, line 21, after the word "by" by inserting the following: "by fine not less than two hundred and fifty dollars, or by imprisonment in the county jail not to exceed two years, or."

Senator McNealus moved to table the

amendment, which motion to table prevailed.

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.
Kauffman.	Wiley.
Lattimore.	Willacy.

Nays—4.

Bailey.	Murray.
McGregor.	Watson.

Absent.

Hudspeth.	Weinert.
Real.	

The bill was read third time and passed by the following vote:

Yeas—22.

Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Johnson.	Warren.
Kauffman.	Westbrook.
Lattimore.	Wiley.

Nays—6.

Astin.	Murray.
Bailey.	Watson.
McGregor.	Willacy.

Absent.

Hudspeth.	Weinert.
Real.	

Senator McNealus moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 350.

The Chair laid before the Senate on second reading and regular order,

House bill No. 350, A bill to be entitled "An Act to amend Section 4, of Chapter 110, of the General Laws of the State of Texas, passed by the Thirty-second Legislature at its Regular Session, said Chapter 110 entitled, 'An Act to prohibit the taking, catching, killing or destroying any fish in the fresh water streams, lakes, bayous, ponds or pools within this State by means of dynamite, giant powder or other explosives, or by means of poisoning, liming muddying, draining or by the use of traps, nets, sceines (except minnow seines for catching bait), or by any other means except the ordinary hook and line and trot line; prescribing penalties for its violation, exempting certain counties from the provisions of Section 3 of this act, repealing Section 75 of the General Laws of the Regular Session of the Thirtieth Legislature, and Chapter 49 of the General Laws of the Thirty-first Legislature, and all other laws in conflict with the same, and declaring an emergency,' by taking Fayette county and Travis county out of the exemption included in said Section 4, and declaring an emergency."

The bill was read and laid on the table subject to call.

#### HOUSE BILL NO. 84.

The Chair laid before the Senate on second reading and regular order

House bill No. 84, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line the railroad of the Stephenville North & South Texas Railway Company, together with all the franchises and property incident or appertaining thereto; and to authorize the Stephenville North & South Texas Railway Company to sell its railroad, together with all the franchises and property incident or appertaining thereto, to the said St. Louis Southwestern Railway Company of Texas, and to author-

ize the latter company after such purchase of said railroad, to operate the same under its charter as part of its own line, and to extend the lines of road so purchased and to construct branches thereof by amendment to its charter under the General Laws of the State of Texas; and until such purchase is made, to authorize the lease by the St. Louis Southwestern Railway Company of Texas of the railroad and other properties of the Stephenville North & South Texas Railway Company for a term or terms not exceeding fifty years; and until such purchase is made, to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Stephenville North & South Texas Railway Company, and to regulate the reports and operations of said railroad and property after the lease or purchase thereof; and to authorize said railway companies to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sale, and declaring an emergency."

There being an adverse majority committee report, recommending a substitute bill, and, a majority favorable committee report, both were read.

Senator Conner made the point of order on the majority committee report that the proposed substitute bill contained subject matter for which no public notice had been given as provided by law requiring notice by publication of intent to pass a law on the subject; and that, the substitution would change the original purpose of the bill, in that it sought to take in a line that was not contained in the House bill, as well as no notice by publication having been given.

The Chair held that in that there had been no published notice of the intent of the consolidation of the Eastern Texas Railway Company, quoting the Constitution, etc., he would sustain the point of order.

On motion of Senator Conner, the minority committee report was adopted.

Senator Townsend offered the following amendment:

Amend the bill on page 5, line 12, by adding the following after the word "hereof:" "Provided, that the provisions of this act shall not take effect and be in force and effect until after the Eastern Texas Railroad Company shall have extended its line of railroad from Kennard to Crockett in Houston county, a distance of 17 miles as called for by

the charter of said Eastern Texas Railroad Company.

Pending.

#### PERSONAL PRIVILEGE REMARKS BY SENATOR VAUGHAN.

Senator Carter moved that the personal privilege remarks by Senator Vaughan, in the Senate this afternoon, be printed in the Journal.

The motion prevailed.

Following is the speech in full:

Austin, Texas, March 5, 1913.

Mr. President: I desire the attention of the Senate upon a question of personal privilege. I do not always notice newspaper reports, nor do I feel called upon to reply to everything that concerns me I see printed in them, but in this instance, in view of the fact that the newspaper pretends to give the remarks of the Governor about my rights as a member of this body, and I do not believe the paper has misquoted him, I feel called upon to speak about what I regard as a gross and coarse breach of the privileges of this body. I notice in the Statesman this morning the following:

"Governor Colquitt remarked yesterday that there is no use in Horace W. Vaughan tendering to him again his resignation as a member of the State Senate, for he has resigned once, the resignation has been accepted, but yet appears to be subject to recall at will. He (meaning the Governor) remarked that he did not intend to be played with by the Senator from Bowie or anybody else, and wondered casually if under that provision of the Constitution that a man shall hold no position in the Legislature if elected to or appointed to any Federal office of emolument, Senator Vaughan is not disqualified to serve in the State Senate, as his Congressional term has begun."

If the Statesman has correctly reported the Governor, I denounce the Governor's conduct in this instance as a petty and meddling and unwarranted and unconstitutional breach of the privileges of this Senate. He himself knows, for he has told us under his own signature that he knows, that under the Constitution the Senate is the judge of the qualifications and election of its own members, and the Governor is guilty of a breach of the privileges of this Senate when he presumes to encroach upon those matters which by the terms

of the Constitution are given to the Senate alone. Notwithstanding his oft pretended knowledge of the Constitution and his pretended regard for it, in this instance he exhibits a lack of knowledge of the spirit and letter of it, which is usually found in those who are drunk with power or who have a contempt for the rights of the people's representatives.

To his letter to me of March 3rd, a copy of which was mailed to the presiding officer of this body, and which has been printed in the Journal, I made no reply, for it was courteous, though I disagree with some of his contentions, but our disagreements are immaterial.

I take advantage of the occasion to say upon the floor of this Senate that I have never "played" with the Governor, and his threat that he will not be "played" with by the Senator from Bowie or anyone else is altogether political braggadocio, because the Senator from Bowie has no desire to "play" with him, nor do I know of anyone else that has any such desire.

I repeat, however, that I did tender my resignation on February 3rd in time for him to have called an election for the unexpired term, and for the election to have been held and the person elected to have qualified immediately upon the taking effect of my resignation. I notice the Governor said in his letter that he had no right to call an election until a vacancy occurred. I insist that the Constitution does not say so. It commands him and requires him to call an election when a vacancy occurs, but there is nothing in the Constitution forbidding him to call an election before it actually occurs when it is known that it will occur at a certain time. The provision of the Constitution in question is the subject of legislative construction, as well as executive and judicial, and had the Senate by its proceedings in the matter, by seating a successor elected in such manner, have given this provision of the Constitution such legislative construction, it would in the future have conserved the right of the people to have their officers serve until their successors qualified. The inference is warranted that if the Governor had been as willing for the First Senatorial District to be represented here as he was to hunt up an excuse to leave them without representation for a short time, his course in this matter might have been different. The Constitution provides that officers shall serve until their successors qualify. I

chose a way of resigning which I thought would insure my constituents against a vacancy in the office. If the method I chose was not competent to conserve the rights of my constituents to be represented in the Senate, certainly a resignation to take effect at once, reserving the rights to serve until the qualification of a successor would have done so. One or the other of these methods could have been pursued. Any intimation on the part of the executive would have been promptly met in a conciliatory spirit with a view to conserve the rights of the people to representation.

That I choose to sacrifice that part of my salary as Congressman during the days that I serve as State Senator is none of the business of the man who occupies the office of Governor. I will arrange to take up my duties as Congressman as soon as I can do so in accordance with my duties here and my promises to my constituents made while I was a candidate to Congress. When my term as Congressman begins, it is none of the Governor's business, but I do say to my constituents that it does not begin until I relinquish the office of State Senator, and I will relinquish that office when I take up my duties as Congressman.

If the Governor thinks he can intimidate me out of the office of State Senator by threatening a vacancy in the First Congressional District, let him try. That will be the business of the people and not his. I wish, in conclusion, to denounce as vigorously and as earnestly as I can, having due respect for the great office which the Governor holds, the petty meddling and braggadocio on his part.

#### RECESS.

Senator Murray, at 5:40 o'clock, moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Johnson moved, as a substitute, that the Senate recess until 8 o'clock tonight.

Action recurred on the longest time first and the motion to adjourn was lost by the following vote:

Yeas—2.

Astin.

Murray.

Nays—24.

Bailey.  
Brelsford.

Carter.  
Collins.

Conner.  
Cowell.  
Darwin.  
Greer.  
Johnson.  
Kauffman.  
Lattimore.  
McNealus.  
Morrow.  
Nugent.

Paulus.  
Taylor.  
Terrell.  
Townsend.  
Vaughan.  
Warren.  
Watson.  
Westbrook.  
Wiley.  
Willacy.

Absent.

Gibson.  
Hudspeth.  
McGregor.

Real.  
Weinert.

The motion to recess until 8 o'clock tonight was adopted.

#### AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Mayes.

#### SENATE BILL NO. 342.

(By Senator Conner.)

The Chair laid before the Senate on second reading,

Senate bill No. 342, A bill to be entitled "An Act to amend Article 854, Revised Statutes 1911, by adding Articles 854a and 854b, authorizing the sale and conveyance by cities and towns of public squares or parks, and providing for the investment of the proceeds of such sales, and the closing for exclusive use temporarily or perpetually, by any railroad company or other corporation having power of eminent domain, in any part or parts of any street or streets, alley or alleys, and to ratify or confirm any prior ordinance closing any street or streets, alley or alleys, or part or parts thereof, for the use of any railroad company or such other corporation; submitting the sale of public squares or parks or the closing of a street or alley or the part or parts of the street or alley to the vote of the qualified voters, and declaring an emergency."

The bill was read second time, and Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 1, by striking out all of line 28, after the word "injury" and lines 29, 30, 31, 32 on page 1 and lines 1 and including "nauces" in line 2, page 2.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill by inserting on page 1, after the enacting clause, and after Section 1, the following: "that from and after the passage of this act, Chapter 4 of Title 22 of the Revised Civil Statutes of 1911 be amended by amending Article 854 and by adding thereto Articles 854a and 854b after Article 854 so that same shall read as follows:"

Senator Conner offered the following amendment, which was read and adopted:

Amend the bill, line 27, page 1, after the first word "and" by striking out the word "the" and inserting "to."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend caption of bill, page 1, line 7, printed bill by striking out the following: "Article 854 Revised Civil Statutes 1911" and by inserting in lieu thereof the following: "Title 22, Chapter 4 Revised Civil Statutes of 1911 by amending Article 854 and."

The bill was read second time and ordered engrossed.

On motion of Senator Conner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

#### Yeas—26.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McGregor.	Westbrook.
McNealus.	Wiley.

#### Absent.

Brelsford.	Vaughan.
Darwin.	Willacy.
Hudspeth.	

The bill was read third time, and Senator Warren offered the following amendment:

Amend the bill by striking out the words "Section 2 in line 29 on page 2, and by striking out on page 3, line 4, the figures "3" after the word "Sec." and insert in lieu thereof the figure "2."

The amendment was read and adopted by the following vote:

#### Yeas—27.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	

#### Absent.

Brelsford.	Vaughan.
Hudspeth.	Willacy.

The bill was read third time and passed by the following vote:

#### Yeas—25.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McNealus.	

#### Absent.

Brelsford.	Terrell.
Hudspeth.	Vaughan.
McGregor.	Willacy.

Senator Conner moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 316.

(By Senator Cowell.)

The Chair laid before the Senate on second reading,

Senate bill No. 316, A bill to be entitled "An Act to aid in the collection of unpaid taxes; to forbid and prevent the issuance of tax receipts for current taxes when there are unpaid back taxes, providing penalties and making law cumulative, and declaring an emergency."

The bill was read second time.

(Senator Terrell in the chair.)

Senator Collins offered the following amendment:

Amend the bill as follows: "After Section 1 strike out the period, and insert the comma, and then the following language: "Provided, this act shall not apply to the taxes of any year prior to 1912."

(Lieutenant Governor Mayes in the chair.)

The amendment was read and lost.

Senator Paulus offered the following amendment:

Amend the bill, page 1, by striking out all of line 11 (the enacting clause).

The amendment was read and adopted by the following vote:

Yeas—20.

Astin.	Murray.
Bailey.	Paulus.
Brelsford.	Taylor.
Carter.	Terrell.
Collins.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
McGregor.	Watson.
McNealus.	Weinert.
Morrow.	Wiley.

Nays—9.

Conner.	Lattimore.
Cowell.	Nugent.
Gibson.	Real.
Johnson.	Westbrook.
Kauffman.	

Absent.

Hudspeth.	Willacy.
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#### SENATE BILL NO. 320.

(By Senator Darwin.)

The Chair laid before the Senate on second reading and regular order,

Senate bill No. 320, A bill to be entitled "An Act to reorganize the Fifth and Seventh Judicial Districts, and to create the Seventy-third Judicial District, and fix the time of holding courts in said districts; and fix the jurisdiction of the court for the Seventy-third Judicial District of Texas; and provide for the appointment of a judge and district attorney for said Seventy-third Judicial District; and to repeal all laws in conflict therewith, and declaring an emergency."

#### REFUSE TO ADJOURN.

Senator Wiley, at 10:10 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning, and the motion was lost by the following vote:

Yeas—5

Conner.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Nays—21

Astin.	Nugent.
Bailey.	Paulus.
Brelsford.	Real.
Carter.	Terrell.
Collins.	Townsend.
Cowell.	Warren.
Darwin.	Watson.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	

Absent.

Gibson.	Morrow.
Hudspeth.	Willacy.

#### SENATE BILL NO. 320.

Action recurred on Senate bill No. 320, and Senator Lattimore offered the following amendment:

Amend the bill, page 4, line 10, by inserting after the word "Texas" the following: "Upon District Courts of the State," and by striking out the word "hereinafter," in line 11, page 4, and inserting the word "hereafter."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill 4 line 3 by striking out the word "effected" and inserting in lieu thereof the word "affected."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill by striking out Section 6 on page 3 of the bill and by renumbering the remaining section of the bill to conform to this amendment.

The bill was read second time and ordered engrossed.

On motion of Senator Darwin, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—26.

Astin.	McNealus.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.

## Absent.

Gibson.	Murray.
Hudspeth.	Willacy.
Morrow.	

The bill was read third time and passed by the following vote:

## Yeas—24.

Astin.	McGregor.
Bailey.	McNealus.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Greer.	Vaughan.
Johnson.	Warren.
Kauffman.	Westbrook.
Lattimore.	Wiley.

## Nays—2.

Watson.	Weinert.
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## Absent.

Gibson.	Murray.
Hudspeth.	Willacy.
Morrow.	

Senator Darwin moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## ADJOURNMENT.

Senator Lattimore, at 10:25 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Watson moved, as a substitute, that the Senate adjourn until 8 o'clock tomorrow morning.

Action recurred on the longest time first and the motion to adjourn until 10 o'clock was adopted.

## APPENDIX.

## BILL SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

Senate bill No. 182, "An Act to amend an act entitled 'An Act to authorize and empower Lamar county, or any political subdivision of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county, or political subdivision thereof, voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work; and to repeal Chapter 72 of the Special Laws of the Thirty-first Legislature, creating a special road law for Lamar county, approved March 17, 1909, and declaring an emergency,' passed at the Third Called Session of the Thirty-first Legislature and approved August 17, 1910, by amending Sections 10 and 11 of said act so that they shall hereafter read as herein set out, and by adding thereto Sections 40 and 41, providing a method of making up the tax rolls of Lamar county, providing a regulation for traffic on said roads, and declaring an emergency."

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

House bill No. 423, A bill to be entitled "An Act authorizing the State Comptroller to transfer certain moneys to the credit of the Permanent School Fund, now on deposit in the State Treasury, and directing the State Treasurer to make corresponding entries on the books of the Treasury Department of said moneys designated on the Treasurer's

and Comptroller's books, as "Organized County Tax Account," and directing the State Treasurer to deposit to the credit of the Permanent School Fund certain moneys now in his hands, and that may hereafter come into his possession, from what is known as the 'Candanella Contract' and 'Mustang Island Fund,' and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Counties and County Boundaries, to whom was referred

House bill No. 46, A bill to be entitled "An Act authorizing the commissioners' court to pay ex-officio salaries to county attorneys, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 14, a joint resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section to be known as Section 58, providing for the tenure and compensation of public officials,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

VAUGHAN, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 20, A

joint resolution to amend Section 9, Article 8, of the Constitution of Texas, authorizing taxation by the State and counties, cities and towns.

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 10, A joint resolution proposing to amend Section 2, Article 5, of the Constitution of the State of Texas, providing that the Supreme Court of the State of Texas shall consist of chief justice and four associate justices.

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 8, A joint resolution to amend Section 1, of Article 3, of the Constitution of the State of Texas, so as to give to the people, or reserve to them, the power to propose laws and to enact or reject the same at the polls, and to approve or reject at the polls any act of the Legislature,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 11, A joint resolution amending Section 7, Article 5, of the Constitution of the State of Texas, relating to the creation



and formation of Judicial Districts, the terms of compensation and qualification of the judges of the district courts, and the times of holding court,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 9, A joint resolution proposing to amend Section 4, Article 5, of the Constitution of the State of Texas, providing that the Court of Criminal Appeals shall consist of four judges,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

VAUGHAN, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judiciary, No. 2, to whom was referred

House bill No. 14, A bill to be entitled "An Act to regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, and the places wherein same are sold; imposing an occupation tax upon persons, firms, corporations and association of persons selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication; requiring liquor dealers and other persons to secure a license to sell such liquors; and defining retail liquor dealers and regulating the business thereof; requiring retail malt dealers and other persons to secure license to sell malt liquors exclusively, capable of producing intoxication; and defining retail malt dealers, and regulating the business thereof; exempting wine growers who sell wine of their own production from the provisions of this act, providing same is not sold to be drunk on the premises where sold, and otherwise regulating of such wine growers; regulating the transfer of license of retail liquor dealers and retail malt dealers; prescribing the conditions of the

bonds of such retail dealers and the conditions upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors and providing penalties for the violation of the provisions of this act; prescribing the method and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto, and repealing all laws or parts of laws in conflict herewith, requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the substitute do pass.

CONNER, Chairman.

Committee Room,  
Austin, Texas, March 4, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Penitentiaries, to whom was referred

Senate Concurrent Resolution No. 10,

Whereas, It is now well recognized that in the interest of humanity and justice the "indeterminate sentence" in punishment for violations of the law of the land is the proper one, and,

Whereas, If the "indeterminate sentence" is the ideal one for the present and for the future, then certainly it, in so far as is possible, should apply to the past, and,

Whereas, There are at this time confined in the penitentiary of Texas, at least several hundred worthy convicts who should have the benefits of such law, therefore be it

Resolved, by the Senate, the House of Representatives concurring, That the

Lieutenant Governor of Texas, George Waverley Briggs, the well known penologist, and the two members of the Board of Pardon Advisers shall constitute and are hereby constituted, a committee whose duty it shall be to visit the penitentiary and all its branches and all places where convicts are kept and to give to each and every convict so deserving, an opportunity to make application for hearing and to be heard in behalf of his application for release, provided said convict shall have practically a perfect prison record and shall have served the minimum sentence which might have been imposed, or in case of life sentence said convict shall have served ten years,

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it be adopted.

WEINERT, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 282, A bill to be entitled "An Act creating the State Bureau of Child and Animal Protection, providing for the appointment of members thereof, and authorizing said bureau to investigate and secure the enforcement of the laws for the protection of children and dumb animals; providing for the appointment of agents and providing for the publication and distribution of annual and biannual reports,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 149, A bill to be entitled "An Act to amend Article 1954, Chapter 12, Title 37, and Articles 1970, 1971, 1972, 1973 and 1974 of Chapter 13, Title 37 and Article 2061 of Chapter 19, Title 37 of the Revised Civil Statutes of the State of Texas, 1911, relating to charges and instructions to the jury, and prescribing the time when a charge of the court and special charges may be read to

the jury, the requirements of such charges, and the manner and necessity of excepting to such charges and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 192, A bill to be entitled "An Act to regulate the trial of civil suits for damages for libel; to define privileged matter, and repealing all laws in conflict herewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

Senate bill No. 227, A bill to be entitled "An Act to provide for the appointment of commissioners to investigate and report upon the system of rural credit and agricultural co-operative societies in use in various European countries, making an appropriation to cover the expenses of said delegates, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

Committee Room,

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Finance, to whom was referred

Senate bill No. 340, A bill to be entitled "An Act making appropriations to pay salaries of judges, and for the support of the judicial department of the State government for two years, beginning September 1, 1913, and ending August 31, 1915,"

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WILLACY, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 391, A bill to be entitled "An Act to incorporate the Seguin Independent School District in Guadalupe county, Texas, describing the boundaries, etc., and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 349, A bill to be entitled "An Act to create the Mathis Independent School District in San Patricio county, Texas, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 175, A bill to be entitled "An Act to amend Article 6553, of Title 115, Chapter 10, of the Revised Civil Statutes of 1911, relating to railroad train dispatchers and affixing a penalty,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 396, A bill to be entitled "An Act to incorporate the Wills Point Independent School District in Van

Zandt county, Texas, for free school purposes only, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 174, A bill to be entitled "An Act to amend Article 6639 of Chapter 13, Title 115, of the Revised Civil Statutes of the State of Texas of 1911, relating to the duties of railroad agents and affixing a penalty,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 299, A bill to be entitled "An Act granting to the Higgins Oil and Fuel Company of Beaumont, Texas, permission to sue the State of Texas for the sum of \$859.43, representing the contract price for four cars of fuel oil delivered to the State Lunatic Asylum at Austin in April and June, 1907, under a contract, as alleged by said claimant; making an appropriation to pay such judgment as may be rendered against the State in any such action, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 63, A bill to be entitled "An Act to amend Section 9, Chapter 30, of the General Laws of the State of Texas, passed by the Thirty-first Legislature (1909), at the Regular Session, approved April 21, 1909, relating to the Texas State Board of Health, Vital Statistics, and to add to said chapter, Section 10a; establishing charbon districts; providing that persons residing therein shall report all animals suffer-

ing with charbon or supposed to have such disease to the County Health Officer, who shall report same to the State Board of Health, and providing for practicing physicians to report all persons suffering with said disease; and providing for the employment of a chemist and bacteriologist where charbon is prevalent, for the purpose of combating with said disease: and providing for the State Board of Health or one who is under them, to visit all stock reported to have charbon; and providing for the isolation of same and for the isolation of all stock exposed to said disease and authority to destroy infected stock and providing for the destruction of the carcasses of stock dying from charbon, or supposed to have died from same, and prohibiting certain stock from running at large between the first day of May and the first day of October in any county where charbon is prevalent or where same may become prevalent; and providing for the prohibiting of such stock in counties and subdivisions thereof where charbon is prevalent, or where same may become prevalent, from running at large in such counties or subdivisions thereof, to be determined by election by the qualified voters of such counties, providing the manner of holding such elections regulating the terms and conditions thereof, and the carrying into effect of such election so to be held; and providing adequate penalties for enforcing such law, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 6, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 202, A bill to be entitled "An Act to provide for an agricultural exhibit at the Panama-Pacific exposition, making appropriation therefor, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room.

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 376, A bill to be entitled "An Act amending Section 3 of the Special Road Law for Montgomery county, the same being an act of the Twenty-seventh Legislature, Acts of 1901, page 76, by adding thereto Section 3a; providing a penalty against county convicts who escape while being worked on public roads of said county under the provisions of Section 3 of said act; and also amending Section 18 of said acts providing certain compensation for county commissioners of said county while serving as road supervisors in addition to the compensation now provided for in said act; repealing all laws in conflict with said Sections 3 and 18 of said act, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room.

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 45, A bill to be entitled "An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room.

Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 79, A bill to be entitled "An Act to amend Section 10, Chapter 23, of the General Laws of the First Called Session of the Thirtieth Legislature, as amended by Chapter 114, Acts of Thirty-first Legislature, as amended by Chapter 51, Acts of Thirty-second Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived, by extending

until the first day of September, A. D. 1913, the time during which corporations embraced within the terms of said act may pay to the Secretary of State franchise taxes and penalties referred to in said act, and have their rights to do business revived; and providing for forfeiture of the charters of such domestic corporations as may fail so to do, and declaring an emergency."

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 399, A bill to be entitled "An Act to repeal Chapter 9, Section 7, of an act entitled 'An Act to amend Section 7, Chapter 55, page 509, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas,' approved April 4, 1907, and place the Lubbock Independent School District under the general laws relating to incorporated school districts, with all the powers given under general laws, and repealing all laws in conflict herewith, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for the compensation as such road commissioners; and providing the manner of working of road hands in the matter of the performance of the road work by the payment of the sum of \$3.00; and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Howard county, Texas, and fixing a penalty for the violation of this act and repealing all laws in conflict with this act, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 352, A bill to be entitled "An Act granting permission to Lee Smith, Boyd Neilson, Arly Gilbert, or the parent or parents or legal representatives, or guardian or guardians ad litem, or next friends of said persons, to bring suit in a district court of Tarrant county, Texas, for the purpose of ascertaining, adjudicating, fixing and establishing claims for damages against said State of Texas arising out of injuries received by said Lee Smith, Boyd Neilson and Arly Gilbert on or about July, 1912, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 356, A bill to be entitled "An Act to create a road commission for Callahan county by making the members of the commissioners court ex-officio members of said commission, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 371, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station at or near Lufkin, in Angelina county, Texas, for the purpose of conducting experiments in fruits, vegetables, grains and other farm crops, and studying soil problems in Angelina county and contiguous counties in the East Texas region of Texas, and disseminating useful information, making necessary appropriation therefor, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 400, A bill to be entitled "An Act providing a more efficient road law for Bexar county, Texas, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 11, A bill to be entitled "An Act to provide for the compensation of certain employees and their representatives and beneficiaries for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof the more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims and for the adjudication thereof for consenting parties, fixing the membership and powers of board and its compensation and duties and the method of its appointments and the term of office of its members, and fixing also the powers, duties and liabilities of said insurance association, and the extent of control over the same to be exercised by the Commissioner of Banking and Insurance, and providing also for the insurance of damage payments by certain other insurance companies and organizations,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 57, A bill to be entitled "An Act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of

Chapter 11, Title 18, of the Revised Civil Statutes of 1895, and of the law providing for the same under Chapter 14, Title 22, of the Revised Statutes of 1911, but which attempted incorporations failed to comply with all the requirements of said chapters and titles, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 362, A bill to be entitled "An Act to authorize, empower and permit Aransas county, upon a vote of two-thirds majority of the resident property taxpayers voting thereon, who are qualified electors of said county, to issue bonds, or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of said Aransas county, and to levy and collect taxes to pay the interest on said bonds and to provide a sinking fund for the redemption thereof, for the purpose of laying out, opening, constructing and maintaining a public road and highway or causeway across the waters of Aransas Bay, between Lamar Peninsula and Live Oak Peninsula, in said county, so as to connect the public road system of said county lying north of Copano Bay with the public road system of said county of Live Oak Peninsula, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 298, A bill to be entitled "An Act authorizing cities situated along or upon navigable streams, and acting under special charters, to extend by ordinance their boundaries so as to include in said cities the navigable stream and the land lying on both sides thereof for a distance of twenty-five hundred feet from the thread of the stream to a distance of twenty miles or less in an air line from the ordinary boundaries of said city either above or below the boundaries of said city or both; and granting to

said cities within said added territory the right to purchase or condemn property for navigation or wharfage or for aids or facilities to either; and granting to said city within said territory full power of regulation and control over navigation and wharfage, and over all facilities and aids to either; and full power to pass and enforce ordinances for the police of navigation and wharfage, and of all aids and facilities to either, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 393, A bill to be entitled "An Act to create a more efficient road system for Hill county, Texas, making county commissioners of said county ex officio road commissioners and prescribing their duties as such, and providing for their compensation as such road commissioners and defining the powers and duties of such county commissioners; providing for the working of county convicts on the public roads of said county, providing for officers' fees and awards and penalties of said convicts and awards for capture of escaped convicts, and for the payment of the cost and fees to said officers, and providing for the employment of the county road superintendent of such county, fixing the salary of said road superintendent; defining the duties of such road superintendent, and providing for eminent domain in opening, widening, laying out and straightening and draining public highways in said county and handling and securing material for the construction or maintenance of said public highways in said county, amending Chapter 54 of the Acts of the Legislature of 1901, providing a special road law for Hill county, adopting certain provisions of Chapter 2, Title 18, of the General Laws of the State of Texas contained in the Revised Statutes thereof adopted in 1911, providing for the defining of districts in said Hill county and for issuing bonds therein and for levying taxes therein for the improvement and maintenance of the public highways therein and for holding elections for said purpose and for levying taxes for the payment of interest and sinking fund, and repealing all laws

and parts of laws in conflict herewith, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 137, A bill to be entitled "An Act defining the offense of assault with a prohibited weapon, prescribing the punishment therefor, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 353, A bill to be entitled "An Act to fix the time for holding the terms of the district courts in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency,"

And find same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 182, "To amend an act to authorize and empower Lamar county, or any political subdivisions of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters for such county, or political subdivisions thereof, voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said works; and to repeal Chapter 72 of the Special law

of the Thirty-first Legislature, creating a special road law for Lamar county, approved March 17, 1909, and declaring an emergency, passed at the Third Called Session of the Thirty-first Legislature, and approved August 17, 1910, and amending Sections 10 and 11 of said act so that they shall hereafter read as set out, and by adding thereto Sections 40 and 41, provided a method of making up the tax rolls of Lamar county, providing a regulation for traffic on said roads, and declaring an emergency."

And find it correctly enrolled, and have this day, at 3:45 o'clock p. m., presented same to the Governor for his approval.

GIBSON, Chairman.

#### PETITIONS AND MEMORIALS.

By Senators Vaughan, Greer, Taylor and Conner:

Numerous petitions numerous signed by citizens of their district advocating the passage of the railway consolidation bills before the Legislature.

By Senator Paulus:

Numerous petitions signed numerous by citizens of various communities of Texas asking that the Constitution be amended providing for a tax equaling its rental value on all land (except homesteads) held for speculative purposes, and providing that certain classes of property may be exempted from taxation.

By Senators Terrell and Murray:

Petitions numerous signed requesting adoption of Senate bill No. 27 and House bill No. 20, regulating the sale of medicine by rural wagons.

By Lieutenant Governor Mayes:

Telegram signed by officers of the Barstow Commercial Club requesting immediate earnest consideration of the district irrigation bill, and that same be passed.

By Senators Collins, Greer and Carter:

Petitions numerous signed by citizens of their districts endorsing the measure which seeks to appropriate funds to the use of the counties in supplementing Federal appropriations to maintain Federal agricultural work in such counties.

#### FORTIETH DAY.

Senate Chamber.

Austin, Texas,

Thursday, March 6, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent—Excused.

Bailey.

Hudspeth.

Prayer by Rev. V. A. Godby, Presiding Elder of the Methodist church of this conference district.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)

#### EXCUSED.

On account of important business:

Senator Hudspeth, for non-attendance yesterday and for balance of this week, on motion of Senator Watson.

Senator Bailey, for today and balance of this week, on motion of Senator Warren.

#### SIMPLE RESOLUTION.

By Senator Townsend:

Whereas, In recent fires, the prisons located at Rusk and Huntsville have suffered a loss by fire of several buildings and factories connected therewith, necessitating a rebuilding of said buildings and other improvements, the making appropriations to cover such losses by this Legislature; therefore, be it